

BS



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,061	05/31/2001	Dean Tan	50277-1510	4009

29989 7590 02/02/2004

HICKMAN PALERMO TRUONG & BECKER, LLP
1600 WILLOW STREET
SAN JOSE, CA 95125

EXAMINER

BLACK, LINH

ART UNIT	PAPER NUMBER
----------	--------------

2177

6

DATE MAILED: 02/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/873,061

Applicant(s)

TAN ET AL.

Examiner

LINH BLACK

Art Unit

2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 May 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 50-53 is/are allowed.
- 6) ☒ Claim(s) 1,2,4-16,18-27,29-41 and 43-49 is/are rejected.
- 7) ☒ Claim(s) 3,17,28 and 42 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 May 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.84(o) because they fail to show necessary textual labels of features in Figs. 1, 2a, 5a, 5b, 5c, 5d, 6b, 6c, 6d, 6e, 7-11, 12b, as described in the specification. For example, placing the label, "computer system" with element 100 of fig. 1; "nonvolatile mass storage devices" with element 162, "first processor" with element 180, or "read-only database" with element 218, of fig. 2a, or "self-service database provisioning process" with element 410, or "customer initial registration" with element 415 of fig. 5a, or "a list of labels" with element 523 or "input area" with element 524 of fig. 5b, or "wizard interface process" with element 628 of fig. 6b, etc... would give viewers a clear understanding of the drawing. A descriptive textual label for each numbered element in these figures would be needed to fully and better understand these figures without any substantial analysis of the detailed specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d).

Specification

2. The use of the trademarks "JAVA" on pages 5 and 35-36, "ORACLE" on page 19, "WEBDB" on page 46, etc...have been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Art Unit: 2177

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner, which might adversely affect their validity as trademarks. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification .

3. Please update the "CROSS REFERENCE TO RELATED APPLICATIONS" in the specification from page 2 to page 3 by indicating the U.S. Patent Application Serial Numbers.

Claim Objections

4. Claim 16 is objected to because of the following informalities: the end of the claim is ended with a semicolon. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 23 and 48 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Art Unit: 2177

The limitation "supplier of a component" is not clear. It is not clearly defined in the specification. Since, the meaning of the claim's limitation can indicate to different sources that supply a component, therefore the meets and bounds of the invention cannot be ascertained.

6. Claims 2 and 27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The limitation "execution of a routine to form one of the web site pages based on the database structures in response to receiving a request for the page" is not clear. Applicants do not explicitly explain/define about the limitation in the specification. Examiner is uncertain about the meaning of the limitation.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical

Art Unit: 2177

Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

7. Claims 1-2, 10-16, 24-27, 35-41, 49-50 are rejected under 35 U.S.C. 102(e) as being anticipated by Bernardo et al. (USP 6185587).

8. Bernardo et al. anticipated the independent claims 1 and 26 by the following:

“a method of building a web site” – the title; col. 1, lines 25-30.

“creating a first data structure holding data indicating one or more adjustable properties of a component for a page for the web sites” – figs. 3-5; col. 7, lines 10-61; col. 9, lines 5- 67; (Bernardo et al. teach: “At step 8, a site creator may select the desired features/options.” – lines 43-44; “At step 12, the tool identifies which templates in a library of stored templates are associated with the features/options selected in step(s) 8. Upon identification of the associated templates, the tool may determine certain fields (required or desired) relevant to completing each template.” – col. 7, lines 55-57. Thus, Examiner interprets “first data structure” as template(s) that associated with Web-site creator’s chosen options.)

Art Unit: 2177

“the first arrangement associated with a first type of web site” – col. 7, line 55 to col. 8, line 33; (Depends on a user’s chosen options, the corresponding type of templates will be utilized to generate a web site – col. 7, line 55 to col. 8, line 19).

“presenting a user with a series of one or more user interfaces including controls for modifying the first arrangement of components” – col. 8, line 34 to col. 9, line 18.

(Views/Interfaces allow users to choose options of creating a new web site or modifying an existing one.)

“receiving input from the user in response to user interaction with the controls on the series of one or more interface” – figs. 4-11 (interfaces where a user can select options, the system will then use the user’s chosen options to further the process of creating user’s web site); col. 7, line 43 to col. 18, line 44.

“in response to the input from the user, automatically performing the steps of creating a user site data structure holding data indicating a modified arrangement of components based on the input from the user; and building the web site based on the data in the user site data structure” – col. 7, line 55 to col. 8, line 32; col. 9, lines 5-29; col. 10, lines 25-59.

9. Bernardo et al. anticipated claims 2 and 27 by the following:

“creation, within a database system, of database objects for forming one or more web site pages according to the modified arrangement”

Bernardo et al. teach a database system with database objects – fig. 1, non-html and html databases; col. 5, lines 42-65; Bernardo et al. teach that web site creator can modify or update web sites – figs. 4 and 9-12; col. 8, lines 34-61; col. 9, lines 5-29; Bernardo et al. teach “options may include choices regarding editing text, colors, graphics or other objects, as well as, choices regarding positioning of objects, creation of new objects; deleting objects, adding links to other sites, security provisions, and other choices.” - col. 9, line 63 to col. 10, line 10. Thus, if a web site creator chooses to modify a web site to add or create a new object, the object will be created and saved in an appropriate database – col. 6, lines 16-18.

“execution of a routine to form one of the web site pages based on the database structures in response to receiving a request for the page” – col. 3, lines 30-49 (automated generation of a web site/pages based on a web creator’s inputs, for example, modifying the products/services area in fig. 5); figs. 3-5; col. 10, lines 30-58.

10. As per claims 10 and 35, Bernardo et al. teach: “a particular component included in the first arrangement of components is generated at a second web site” – col. 10, lines 25-59; (A particular component can be a company logo, for example, stored in a template or the first arrangement of component as a profile document. Each object in Web site may contain an associated profile document.)

In the specification, there is no definition for or statements about "a second web site". However, Examiner interprets "a second web site" in claim 10 as "a user site data structure" of claim 1, and "the first arrangement of components" is "a first data structure" as Applicants claimed in claim 1.

11. As per claims 11 and 36, Bernardo et al. teach: "the modified arrangement of components includes the particular component, and the web site includes a link to the second web site for generating the particular component" - col. 10, lines 25-59; especially page 51-59.

12. As per claims 12 and 37, Bernardo et al. teach:

"creating a plurality of component data structures, each component data structure holding data indicating one or more properties of a component for the first arrangement of components" – col. 7, lines 10-67.

"the first data structures includes one or more references to one or more component data structures of the plurality of component data structures" – col. 7, lines 55-58; col. 10, lines 29-59.

"the user site data structure includes one or more references to one or more component data structures of the plurality of component data structures" – col. 8, lines 7-19; col. 10, lines 31-59.

13. As per claims 13 and 38, Bernardo et al. teach:

“creating a second data structure holding data indicating a second arrangement of components, the second arrangement associated with a second type of web site;” – col. 9, lines 5-25.

In the specification, applicants have not defined explicitly the “second type of web site”. However, Bernardo et al. teach an authorized user is able to modify an individual area or the web site or to modify all of the site areas – figs. 9 and 5; As a user modifies a site, new options are added or chosen etc... the identification process of associated/new templates will be created, new web pages or different type of web sites would be created – col. 7, lines 32-57.

“the series of one or more user interfaces further include controls for selecting one of the first arrangement of components and the second arrangement of components” – col. 9, line 54 to col. 10, line 59.

14. Bernardo et al. anticipated the independent claims 14 and 39 by the following:

“a method of building a web site” – the title; col. 1, lines 25-30;

“creating a first data structure holding data indicating one or more adjustable properties of a component for a page for the web sites” – figs. 3-5; col. 7, lines 10-61, especially, lines 55-61; col. 9, lines 5- 67;

In the specification, applicants state: "first data structure holding data indicating a first arrangement of components. The first arrangement is associated with a first type of web site" – page 8, lines 4-6; In the second paragraph, applicants state: "a first data structure holding data indicating one or more adjustable properties of a component for a page for the web site." However, Bernardo et al. teach: "At step 8, a site creator may select the desired features/options." – lines 43-44; "At step 12, the tool identifies which templates in a library of stored templates are associated with the features/options selected in step(s) 8. Upon identification of the associated templates, the tool may determine certain fields (required or desired) relevant to completing each template." – col. 7, lines 55-57. Thus, Examiner interprets "first data structure" as template(s) that associated with Web-site creator's chosen options.

"presenting a user with a series of one or more user interfaces including controls for determining one or more values corresponding to the one or more adjustable properties" – col. 8, line 34 to col. 9, line 18. (Views/Interfaces allow users to choose options of creating a new web site or modifying an existing one.)

"receiving user input indicating the one or more values in response to user interaction with the controls on the series of one or more interfaces" – figs. 4-11 (interfaces where a user can select options, the system will then use the user's chosen options to further the process of creating user's web site); col. 7, line 43 to col. 18, line 44.

Art Unit: 2177

“in response to the user input, automatically performing the steps of building the component in the web site based on the one or more values” – col. 7, line 55 to col. 8, line 32; col. 9, lines 5-29; col. 10, lines 25-59.

15. As per claims 15 and 40, Bernardo et al. teach:

“said step of building the component in the web site further comprising creating a second data structure holding data indicating the one or more values for the one or more adjustable properties of the component based on the user input” - col. 9, lines 5-25.

In the specification, applicants have not defined explicitly the “second type of web site”. However, Bernardo et al. teach an authorized user is able to modify an individual area or the web site or to modify all of the site areas – figs. 9 and 5; As a user modifies a site, new options are added or chosen etc... the identification process of associated/new templates will be created, new web pages or different type of web sites would be created – col. 7, lines 55-57.

16. As per claims 16 and 41, Bernardo et al. teach:

“creation, within a database system, of one or more database objects to support the component” –

In the independent claim 1, applicants teach “the component” in the web site. In the specification, section 6.4: WEB SITE COMPONENTS, page 44, applicants state: “Web site components handle specific functional needs of an enterprise operating

Art Unit: 2177

a web site on the Internet. A web site component that uses the support of a database is called a database component. Information that is fixed and unchanging for all visitors to a site can be handled by components that are not database components. Examples of such components are a site logo, a site name, a legal notice, terms of use, and a privacy statement.”

Bernardo et al., however, teach a database system with database objects – fig. 1, non-html and html databases; col. 5, lines 42-65; Bernardo et al. teach that web site creator can modify or update web sites – figs. 4 and 9-12; col. 8, lines 34-61; col. 9, lines 5-29; Bernardo et al. teach “options may include choices regarding editing text, colors, graphics or other objects, as well as, choices regarding positioning of objects, creation of new objects, deleting objects, adding links to other sites, security provisions, and other choices.” - col. 9, line 63 to col. 10, line 10.

17. As per claims 24 and 49, Bernardo et al. teach:

“wherein the component is generated at a second web site” - col. 9, lines 54-67, especially, line 65.

In the specification, applicants have not defined explicitly the “second type of web site”. However, Bernardo et al. teach an authorized user is able to modify an individual area or the web site or to modify all of the site areas – figs. 9 and 5; As a user modifies a site, new options are added or chosen etc... the identification process of associated/new templates will be created, new web pages or different type of web sites would be created – col. 7, lines 32-57.

18. As per claims 25 and 50, Bernardo et al. teach:

“the step of building the component in the web site comprises including a link to the second web site in the web site” -

Bernardo et al. teach that web site creator can modify or update web sites – figs. 4 and 9-12; col. 8, lines 34-61; col. 9, lines 5-29; Bernardo et al. teach “options may include choices regarding editing text, colors, graphics or other objects, as well as, choices regarding positioning of objects, creation of new objects, deleting objects, adding links to other sites, security provisions, and other choices.” - col. 9, line 63 to col. 10, line 10. Thus, if a web site creator chooses to modify a web site to add a link to a second web site, the object will be created and saved in an appropriate database – col. 6, lines 16-18.

“the link includes data indicating the one or more values corresponding to the one or more adjustable parameters.” – col. 10, lines 40-59 (especially, “For example, a link may include a uniform resource locator (URL) that may link to another web page” – col. 10, lines 52-54). URLs can be changed or are adjustable.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. Claims 4-9, 18-22, 29-34, and 43-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernardo et al. (USP 6185587), and further in view of Mary et al., "Declarative specification of Web sites wit STRUDEL", 1999, pages 38-55.

20. As per claims 4, 18, 29, and 43, Bernardo et al. teach "creating a first data structure holding data indicating a first arrangement of components" – fig. 3; col. 6, line 66 to col. 8, line 61, especially lines 10-20; "the first arrangement associated with a first type of web site" – col. 8, line 62 to col. 9, line 4. However, Bernardo et al. do not fairly suggest: "wherein the first data structure is an extensible markup language (XML) document." Mary et al. teach "Web sites have become the principal mechanism for disseminating and accessing on the Internet and on corporation's high-speed intranets"... "As demand for data-intensive Web sites increases, the demand for tools to help create and maintain such sites also increases" – page 38. Mary et al. also suggest Site Generator – section 2.4, page 41; Mary et al. suggest the creation of Web-site using XML technologies – section 6.3, page 51; "Data is exchanged between the data repository and external sources in XML" – page 40, 2nd paragraph. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined Mary et al.'s XML technologies with Bernardo et al. 's teaching of creating web sites in order to take advantages of XML

technologies' benefits, for example, XML and XSLT decouple page content from page presentation, which makes it possible for applications other than browsers to process page content" – Mary et al., page 51, 2nd column, 1st paragraph.

21. As per claims 5, 19, 30, and 44, Bernardo et al. teach "forming a document displayable by a web browser operated by the user" – col. 5, line 33 to col. 6, line 25; col. 6, lines 36-65 (creation of web sites and web pages/documents which would be displayable by a web browser operated by the user); Bernardo et al. teach "presenting the user with a series of one or more user interfaces" – figs. 3-5; col. 8, lines 34-61; col. 6, lines 2-11; Bernardo et al. do not fairly suggest: "an extensible style sheet language transformation (XSLT) document for forming a document displayable by a web browser process operated by the user;" However, Mary et al. suggest XSLT document displayable by a web browser or applications other than browsers operated by the user – section 6.3, page 51, especially "XML, XSLT, and several XML query languages are already influencing Web-site development; In particular, XML and XSLT decouple page content from page presentation, which makes it possible for applications other than browsers to process page content" which is basically there are already existed XML, XSLT web pages/documents. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply XML technologies in order to take advantages of XML technologies' benefits.

22. As per claims 6, 20, 31, and 45, Bernardo et al. teach “the document displayable by the web browser is an hypertext markup language (HTML) document” – col. 5, line 65 to col. 6, line 11.
23. As per claims 7-8, 21, 32-33, and 46, Bernardo et al. teach “user site data structure/second data structure” - col. 9, lines 5-29; col. 10, lines 25-59; Bernardo et al. do not suggest: “the user site data structure is an extensible markup language (XML) document”. Mary et al. suggest the creation of Web-site using XML technologies – section 6.3, page 51.
24. Claims 9, 22, 34, and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernardo et al. (USP 6185587), and further in view of Mary et al., “Declarative specification of Web sites wit STRUDEL”, 1999, pages 38-55 and Call (USP 6154738).
25. As per claims 9, 22, 34, and 47, Bernardo et al. do not fairly suggest “XML element types”, Mary et al. suggest the creation of Web-site using XML technologies – section 6.3, page 51. However, Bernardo et al. and Mary et al. do not fairly suggest XML element types are defined in a shared document type definition (DTD) document. Call (USP 6154738) teaches “methods and apparatus for disseminating product information via the Internet using Universal Product Codes” – the title. Call

also teaches “By storing product information expressed in Extensible Markup Language (XML), and by using style sheet information provided by the web site which is incorporating product information into their web presentations, the data supplied by the manufacturer can be rendered using font sizes, typefaces, background colors and formatting selected by the web page producer. Other characteristics of XML, including the ability to encourage or enforce conformity with content and formatting standards through the use of Document Type Definitions (DTD's) and Resource Definition Framework (RDF) and Syntax Specification, facilitate the integration of data from retailers and other web page producers with the product information provided by manufacturers.” – col. 2, line 64 to col. 3, line 10.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined Call's teaching of “XML element types are defined in a shared document type definition (DTD) document” with Mary et al.'s XML technologies and Bernardo et al. 's teaching of creating web sites in order to better facilitating the process of integration of data between organizations and enforce the conformity of formatting standards.

Allowable Subject Matter

26. Claims 51-53 are allowed.

Art Unit: 2177

27. Claims 3, 28, 17, and 42 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LINH BLACK whose telephone number is 703-305-0317. The examiner can normally be reached on Monday-Thursday from 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN BREENE can be reached on 703-305-9790. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306, for Before Final communications: 703-746-7239, and for After Final communications: 703-746-7238.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-746-7240.

Linh Black

LINH BLACK
Patent Examiner
Art Unit 2177